



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,359	03/31/2004	Mark Pyle	NOR16018RR	7760

33000 7590 08/11/2006

DOCKET CLERK  
P.O. DRAWER 800889  
DALLAS, TX 75380

EXAMINER

WENDELL, ANDREW

ART UNIT PAPER NUMBER

2618

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/814,359	<b>Applicant(s)</b> PYLE ET AL.	
	<b>Examiner</b> Andrew Wendell	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsell et al. (US Pat App# 2002/0065864) in view of Alperovich (US Pat# 6,175,741).

Regarding claim 1, Hartsell et al. method for resource tracking in information management environments teaches receiving a code (Section 0293) (the station receives the class of service or quality of service code from the communicating device); the code comprising priority services capability information defining priority services (The class of service or quality of service have different services i.e. bandwidth usage, speed, priority, etc. based on the customers profile that is sent from the device) supported by a mobile switching center; and distinguishing different telecommunication services in response to receiving the code (Sections 0011 and 0295-0299) (The class of service or quality of service have different services i.e. bandwidth usage, speed, priority, etc. based on the customers profile that is sent from the device). Hartsell et al. fails to clearly teach priority services supported by a mobile switching center.

Alperovich's method for enhancing business card services within a cellular network teaches receiving a code (supplementary service, Col. 6 lines 37-47 or Col. 8 lines 16-21); the code (supplementary service) comprising priority services capability

Art Unit: 2618

information (i.e. call forwarding, positioning, and multiparty calling, etc. Col. 2 lines 40-45) defining priority services supported by a mobile switching center 10 and 14 (Fig. 1); and distinguishing different telecommunication services (i.e. call forwarding, positioning, and multiparty calling, etc.) in response to receiving the code (Col. 6 lines 37-47 or Col. 8 lines 16-21).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate priority services supported by a mobile switching center as taught by Alperovich into Hartsell et al. method in order to provide additional features to mobile subscribers (Col. 2 lines 46-48).

Regarding claim 2, the combination including Alperovich teaches wherein the code is a supplementary code (supplementary service, Col. 6 lines 37-47 or Col. 8 lines 16-21).

Regarding claim 3, the combination including Hartsell et al. teaches wherein the telecommunication services are priority services (Sections 0011 and 0295-0299) (The class of service or quality of service have different services i.e. bandwidth usage, speed, priority, etc. based on the customers profile that is sent from the device).

Regarding claim 7, the combination including Hartsell et al. teaches wherein at least one of the priority services is a hybrid service (Section 0237).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsell et al. (US Pat Appl# 2002/0065864) in view of Alperovich (US Pat# 6,175,741) and further in view of Aschir (US Pat Appl# 2002/0071444).

Art Unit: 2618

Regarding claim 5, Hartsell et al. method for resource tracking in information management environments in view of Alperovich's method for enhancing business card services within a cellular network teaches the limitations in claim 1. Hartsell et al. and Alperovich fail to teach an enhanced Multi-Level Prededence and Pre-emption service service.

Aschir's method for setting up weighted communication links teaches wherein at least one of the priority services is an enhanced Multi-Level Prededence and Pre-emption service (Section 0002).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an enhanced Multi-Level Prededence and Pre-emption service as taught by Aschir into priority services supported by a mobile switching center as taught by Alperovich into Hartsell et al. method in order to improve setting up priority levels in communication links (Section 0003).

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsell et al. (US Pat Appl# 2002/0065864) in view of Alperovich (US Pat# 6,175,741) and further in view of Hitzeman (US Pat Appl# 2003/0220115).

Regarding claim 5, Hartsell et al. method for resource tracking in information management environments in view of Alperovich's method for enhancing business card services within a cellular network teaches the limitations in claim 1. Hartsell et al. and Alperovich fail to teach a Wireless Priority Service.

Hitzeman's method for mitigating impact on non-privileged users of potential resource limitations in a communication system teaches wherein at least one of the priority services is a WIRELESS PRIORITY SERVICE (Section 0003).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a WIRELESS PRIORITY SERVICE as taught by Hitzeman into priority services supported by a mobile switching center as taught by Alperovich into Hartsell et al. method in order to improve resource limitations on lower priority users (Sections 0004-0005).

5. Claims 8, 11, 14-15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsell et al. (US Pat Appl# 2002/0065864) in view of Haumont et al. (US Pat# 6,955,918) and further in view of Alperovich (US Pat# 6,175,741).

Regarding claim 8, Hartsell et al. method for resource tracking in information management environments teaches generating a message including a priority services (class of service and quality of service, i.e. bandwidth usage, speed, priority, etc) designation (Sections 0011, 0293, and 0295-0299), the priority services capability information defining priority services (The class of service or quality of service have different services i.e. bandwidth usage, speed, priority, etc. based on the customers profile that is sent from the device) supported by a mobile switching center. In Hartsell's method the protocol of exchanging messages is unknown. Hartsell fails to teach an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure and priority services supported by a mobile switching center.

Haumont et al. serving network entity relocation teaches quality of service (Col. 2 lines 35-53) and a procedure of generating a UPDATE LOCATION message 207 (Fig. 2); receiving an INSERT SUBSCRIBER DATA message in response to generating the UPDATE LOCATION message 210 (Fig. 2); generating an Insert Subscriber Data-acknowledgement message in response to receiving the INSERT SUBSCRIBER DATA message 211 (Fig. 2); and receiving a Update Location-acknowledgement message in response to generating the Insert Subscriber Data-acknowledgement message 212 (Fig. 2).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure as taught by Haumont et al. into Hartsell et al. method in order to simplify relocating a serving network entity (Col. 5 lines 28-42).

Both Hartsell et al. and Haumont fail to teach priority services supported by a mobile switching center.

Alperovich's method for enhancing business card services within a cellular network teaches generating a message including a priority services designation (supplementary service, Col. 6 lines 37-47 or Col. 8 lines 16-21); the priority services designation (supplementary service) comprising priority services capability information (i.e. call forwarding, positioning, and multiparty calling, etc.; Col. 2 lines 40-45) defining priority services supported by a mobile switching center 10 and 14 (Fig. 1).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate priority services supported by a mobile switching center as taught by Alperovich into an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure as taught by Haumont into Hartsell et al. method in order to provide additional features to mobile subscribers (Col. 2 lines 46-48).

Regarding claim 11, Hartsell et al. further teaches a message including hybrid service information (Section 0237).

Regarding claim 14, Hartsell et al. further teaches a message including hybrid service information (Section 0237).

Regarding claim 15, Hartsell et al. teaches receiving a message including a priority services (class of service and quality of service, i.e. bandwidth usage, speed, priority, etc) designation (Sections 0011, 0293, and 0295-0299). In Hartsell's method the protocol of exchanging messages is unknown. Hartsell fails to teach an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure and priority services supported by a mobile switching center.

Haumont et al. serving network entity relocation teaches quality of service (Col. 2 lines 35-53) and a procedure of receiving a UPDATE LOCATION message 207 (Fig. 2); generating an INSERT SUBSCRIBER DATA message in response to generating the UPDATE LOCATION message 210 (Fig. 2); receiving an Insert Subscriber Data-



Art Unit: 2618

acknowledgement message in response to receiving the INSERT SUBSCRIBER DATA message 211 (Fig. 2); and generating a Update Location-acknowledgement message in response to generating the Insert Subscriber Data-acknowledgement message 212 (Fig. 2).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure as taught by Haumont et al. into Hartsell et al. method in order to simplify relocating a serving network entity (Col. 5 lines 28-42).

Both Hartsell et al. and Haumont fail to teach priority services supported by a mobile switching center.

Alperovich's method for enhancing business card services within a cellular network teaches generating a message including a priority services designation (supplementary service, Col. 6 lines 37-47 or Col. 8 lines 16-21); the priority services designation (supplementary service) comprising priority services capability information (i.e. call forwarding, positioning, and multiparty calling, etc.; Col. 2 lines 40-45) defining priority services supported by a mobile switching center 10 and 14 (Fig. 1).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate priority services supported by a mobile switching center as taught by Alperovich into an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure as taught by Haumont into Hartsell et

Art Unit: 2618

al. method in order to provide additional features to mobile subscribers (Col. 2 lines 46-48).

Regarding claim 18, the combination including Hartsell et al. teaches a message including hybrid service information (Section 0237).

6. Claims 9, 12, 16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsell et al. (US Pat Appl# 2002/0065864) in view of Haumont et al. (US Pat# 6,955,918) and further in view of Alperovich (US Pat# 6,175,741) as applied to claim 8 above, and further in view of Aschir (US Pat Appl# 2002/0071444).

Regarding claim 9, Hartsell et al. method for resource tracking in information management environments in view of Haumont et al. serving network entity relocation and further in view of Alperovich's method for enhancing business card services within a cellular network teaches the limitations in claim 8. Hartsell et al., Haumont et al., and Alperovich fail to teach an enhanced Multi-Level Prededence and Pre-emption service information message.

Aschir's method for setting up weighted communication links teaches a message including enhanced Multi-Level Prededence and Pre-emption service information (Section 0002).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an enhanced Multi-Level Prededence and Pre-emption service information message as taught by Aschir into priority services supported by a mobile switching center as taught by Alperovich into an INSERT SUBSCRIBER DATA, Insert Subscriber Data-

acknowledgement, and Update Location-acknowledgement message procedure as taught by Hartsell et al. in view of Haumont et al. method in order to improve setting up priority levels in communication links (Section 0003).

Regarding claim 12, Aschir further teaches a message including enhanced Multi-Level Predence and Pre-emption service information (Section 0002).

Regarding claim 16, Aschir further teaches a message including enhanced Multi-Level Predence and Pre-emption service information (Section 0002).

Regarding claim 19, Aschir further teaches a message including enhanced Multi-Level Predence and Pre-emption service information (Section 0002).

7. Claims 10, 13, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsell et al. (US Pat Appl# 2002/0065864) in view of Haumont et al. (US Pat# 6,955,918) and further in view of Alperovich (US Pat# 6,175,741) as applied to claim 8 above, and further in view of Hitzeman (US Pat Appl# 2003/0220115).

Regarding claim 10, Hartsell et al. method for resource tracking in information management environments in view of Haumont et al. serving network entity relocation and further in view of Alperovich's method for enhancing business card services within a cellular network teaches the limitations in claim 8. Hartsell et al., Alperovich, and Haumont et al. fail to teach a WIRELESS PRIORITY SERVICE information message.

Hitzeman's method for mitigating impact on non-privileged users of potential resource limitations in a communication system teaches the UPDATE LOCATION message including WIRELESS PRIORITY SERVICE information (Section 0003).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a WIRELESS PRIORITY SERVICE information message as taught by Hitzeman into priority services supported by a mobile switching center as taught by Alperovich into an INSERT SUBSCRIBER DATA, Insert Subscriber Data-acknowledgement, and Update Location-acknowledgement message procedure as taught by Hartsell et al. in view of Haumont et al. method in order to improve resource limitations on lower priority users (Sections 0004-0005).

Regarding claim 13, Hitzeman further teaches a message including WIRELESS PRIORITY SERVICE information (Section 0003).

Regarding claim 17, Hitzeman further teaches a message including WIRELESS PRIORITY SERVICE information (Section 0003).

Regarding claim 20, Hitzeman further teaches a message including WIRELESS PRIORITY SERVICE information (Section 0003).

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-3 and 5-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within


Art Unit: 2618

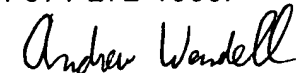
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

 8/7/06  
QUOCHIEN B. VUONG  
PRIMARY EXAMINER

  
Andrew Wendell